

ANNUAL REPORT
OF THE
JOINT STUDY COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
ASSESSMENT AND SOLUTIONS



Indiana Legislative Services Agency
200 W. Washington Street, Suite 301
Indianapolis, Indiana 46204

October, 2011

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2011

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JOINT STUDY COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE ASSESSMENT AND SOLUTIONS

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A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

I. STATUTORY AND LEGISLATIVE COUNCIL DIRECTIVES

IC 2-5-28.5-2 establishes the Committee, and IC 2-5-28.5-4 directs the Committee to do the following, beginning calendar year 2011 through calendar year 2015:

- (1) Assess the condition of Indiana's transportation infrastructure in both the public and private sectors.
- (2) In connection with the Indiana department of transportation and other interested parties, project Indiana's transportation demands through 2035.
- (3) Determine whether Indiana's existing transportation infrastructure is capable of meeting the transportation demands projected under subdivision (2).
- (4) Establish appropriate roles and responsibilities for:
 - (A) the state and county and municipal governments; and
 - (B) the private sector;in meeting Indiana's projected transportation demands.
- (5) Identify potential funding sources for both public and private transportation and infrastructure projects.
- (6) Report its findings to the governor and, in an electronic format under IC 5-14-6, the general assembly.

The Legislative Council also charged the Committee with studying the following topics:

- (1) The use of motorized bicycles and motor scooters in Indiana, including the following topics:
 - (A) Definitions of the following:
 - (i) Motorized bicycle;
 - (ii) Motor scooter;
 - (iii) Moped; and
 - (iv) Motor-driven cycle;
 - (B) Issues related to internal combustion power and battery power of motor vehicles described in subdivision (1).
 - (C) Issues relating to necessary equipment for, licensing of operators of, titling of, registration of, taxation of, and insurance requirements for motor vehicles described in subdivision (1).HEA 1334-2011; HB 1426-2011.
- (2) The necessity of informing governmental bodies about proposed state highway projects that require the highway to be closed at least five consecutive days. SC 50 (2011).

Legislative Council Resolution 11-01.

II. INTRODUCTION AND REASONS FOR STUDY

Current Indiana law requires the Committee to study issues related to transportation and infrastructure between 2011 and 2015 and to report its findings to the Governor and the General Assembly. IC 2-5-28.5-4. The Legislative Council assigned the Committee the additional study

topics of: (1) mopeds, motorized bicycles, and motor scooters; and (2) notice of certain highway projects.

III. SUMMARY OF WORK PROGRAM

The Committee met three times during the 2011 interim; all meetings were held in the House Chamber of the Statehouse in Indianapolis. At the first meeting on August 23, the Committee heard from the Commissioner of the Indiana Department of Transportation, industry representatives, and metropolitan planning organizations. At the second meeting on September 6, the Committee received testimony concerning local transportation and infrastructure, the complete streets initiative, and federal transportation funding. At the third meeting on September 20, the Committee heard from rail, aviation, maritime, and transit representatives and studied the issues of motorized bicycles and notice of highway construction.

IV. SUMMARY OF TESTIMONY

State and Federal Transportation and Infrastructure

Indiana's state highways and bridges are in good condition, especially relative to local roads and bridges, largely due to the influx of funds from Major Moves. The Indiana Department of Transportation (INDOT) uses an asset management system to determine the appropriate investment levels in the core areas of safety, bridge condition, pavement condition, and congestion. INDOT's responsibilities include state highways, aviation, transit and rail.

The United States Congress is considering various transportation funding bills. The current level of federal transportation funding is only one-third of the amount that is needed to maintain and improve the nation's transportation and infrastructure systems. The United States faces a \$400 billion transportation funding gap over the next six years.

Through the passage of legislation, Minnesota has implemented a state-wide complete streets initiative to ensure that streets are designed and operated to enable safe access for users of all ages and abilities.

Local Transportation and Infrastructure

Indiana has 14 metropolitan planning organizations (MPOs), representing 26 urban and 13 rural counties. The Local Technical Assistance Program at Purdue University assesses bridge and pavement conditions and funding at the county, city, and town levels. There is an extreme differential between Indiana's current and projected lifecycle returns on roads and bridges. Projections show that it will cost \$100 million per year to maintain roads in their current conditions and \$300 million per year to maintain bridges in their current conditions.

County motor vehicle accounts and local road and street funds are insufficient as labor and supply costs increase. Local governments are considering alternative funding, including imposing local option taxes. The counties, cities, and towns face challenges, including decreased road and street funding, increased costs, additional roads to maintain, and a growing need for new infrastructure and transit.

Industry

Logistics is a growing industry in Indiana, but the limitations of Indiana's transportation infrastructure, including transportation "bottlenecks" and inadequate direct rail service, result in inefficiency. Once the Major Moves funding is gone, Indiana will have limited transportation funding, which will need to be spent almost exclusively on maintenance. Indiana is in a vulnerable funding position due to its status as a donor state with respect to the federal gasoline tax and will need to explore creative financing options. Transportation and infrastructure also greatly impact grain movement, biofuels, livestock, and agricultural and food processing throughout Indiana. Indiana is a truck friendly state, especially following the creation of a "one stop shop" by the Indiana Department of Revenue; however, Indiana has largest disparity between taxes on automobile gasoline (\$0.18 per gallon) and truck diesel (\$0.27 per gallon). Indiana's trucking industry supports public-private partnerships.

Modes

The Northern Indiana Commuter Transportation District (NICTD) maintains over 82 passenger cars and 13 passenger stations and operates 12,900 scheduled trains per year. Recent improvements to NICTD's facilities and operations include reducing grade crossings and implementing positive train control, improving reliability and capacity, reducing travel time, and providing more frequent service.

Indiana has 114 public use airports; four are primary airports with scheduled service, and 110 are general aviation airports. Aviation funding is shared among the federal, state, and local governments. Combining state and local aviation projects may enhance receipt of federal aviation funding. Many businesses view general aviation as an economic development tool.

Indiana has 42 freight railroads, of which four are Class I, one is Class II, and 38 are Class III. In general, freight railroad is a capital intensive industry and requires constant reinvestment in its

infrastructure. Growth is predicted in overall freight volume, including intermodal volume, and tonnage. INDOT continues working with its partners at the Midwest Regional Rail Initiative to develop the Midwest Regional Rail System. Investment in rail infrastructure reduces highway and shipping costs.

Indiana has both fixed route and demand response bus systems; annual rural passenger demand is approximately two million, and annual large fixed route passenger demand is approximately 1.6 million. The state's contribution to public transit funding has decreased following the decoupling of the public mass transit fund from the state sales tax. Indiana's neighboring states spend more per capita on public transit than does Indiana. Public transit ridership is expected to increase, which could result in service cuts if funding continues at current levels.

The Ports of Indiana is a self-funded statewide port authority with ports at Mount Vernon, Jeffersonville, and Burns Harbor. It is governed by a seven member bipartisan board appointed by the Governor and has an annual economic impact of \$5.4 billion.

HEA 1334-2011: Motorized Bicycles and Mopeds

Laws vary across states with regard to licensing and insurance requirements for motorized bicycles, mopeds, or scooters. Indiana law defines motorized bicycle but not moped or scooter. A recent decision issued by the Indiana Court of Appeals overturned an individual's conviction for operating a motor vehicle while the individual's license was suspended due in part to the lack of a definition for maximum design speed within the definition of a motorized bicycle. Law enforcement officers experience difficulties when trying to enforce traffic laws with respect to motorized bicycles and mopeds due to the visual similarities among vehicles. The Committee was asked to recommend changing Indiana law to: (1) require scooter operators to register their scooters with the Bureau of Motor Vehicles, carry insurance, and successfully complete safety classes; and (2) eliminate the statutory need for a law enforcement officer to visually discern the varying engine sizes of scooters, mopeds, and motorized bicycles.

SC 50-2011: Notice of Construction

Closure of state highways for construction purposes affects commerce and public safety. INDOT's district public information officer issues a press release about upcoming closures and also provides closure and restriction information in the Condition Acquisition and Reporting System (CARS). INDOT conducts a public hearing to which local public officials are invited before letting a contract for a major construction project that requires closure and performs field checks at which affected stakeholders may review construction and closure plans. INDOT typically compensates local units of government for damage resulting from incremental increases in traffic volume due to highway closures.

V. COMMITTEE FINDINGS AND RECOMMENDATIONS

The Committee made no findings of fact or recommendations and is submitting this report for

informational purposes only.

WITNESS LIST

Bernie Arseneau, Deputy Commissioner and Chief Engineer, Minnesota Department of Transportation
John Ayers, Hendricks County Highway Supervisor; President, Indiana Association of County Highway Engineers and Supervisors
Jack Basso, Director of Management and Business Development, American Association of State Highway Transportation Officials
Congressman Larry Bucshon, 8th Congressional District of Indiana
Cameron Carter, Vice President, Economic Development, Small Business Policy, and Federal Relations, Indiana Chamber
Paul Chase, State Director for Public Policy, Indiana AARP
Commissioner Michael Cline, Indiana Department of Transportation (INDOT)
Rhonda Cook, Director of Government Affairs and Legislative Counsel, Indiana Association of Cities and Towns
Rich Cooper, Ports of Indiana
Tom DeGiulio, Munster Town Manager
Dennis Faulkenberg, President, APPIAN
Bart Giesler, Aviation Association of Indiana
John Haberman, Local Technical Assistance Program Manager, Purdue University School of Civil Engineering
Jerry Hanas, General Manager, Northern Indiana Commuter Transportation District
George Hawkins, public citizen
Chief Brad Hill, Evansville Police Department (EPD)
Officer Sara Hilsmeier, EPD
Thomas Hoback, President and CEO, The Indiana Rail Road Company
David Holt, Vice President, Operations and Business Development, Conexus Indiana
Jay Jackson, ABATE Indiana
Gary Langston, President, Indiana Motor Truck Association
Senator Jean Leising
Lori Miser, Executive Director, Indianapolis Metropolitan Planning Organization
Detective Karin Montgomery, EPD
Tom Murtaugh, Tippecanoe County Commissioner
Duane O'Neal, public citizen
Emily Otto-Tice, Director of Grain Marketing, Indiana Soybean Alliance and Indiana Corn Marketing Council
Mark Palmer, Taft Stettinius & Hollister, on behalf of the Indiana Transportation Association
Michael Riley, Manager, INDOT Rail Office
Sandi Seanor, Indiana Metropolitan Planning Organization Council
John Secor, President, Louisville & Indiana Railroad
Representative Milo Smith
Steve Watson, CSX Corporation
Bob Zier, Chief of Staff, INDOT